

# Transportation and Social Justice

The Roles of the  
United States Federal Government  
and State Governments

# When the early settlers came...

- Can you imagine what it would be like if there were no roads in Kentucky? That is what it was like when the early settlers came. There were no roads at all, just pathways through the forests and prairies.



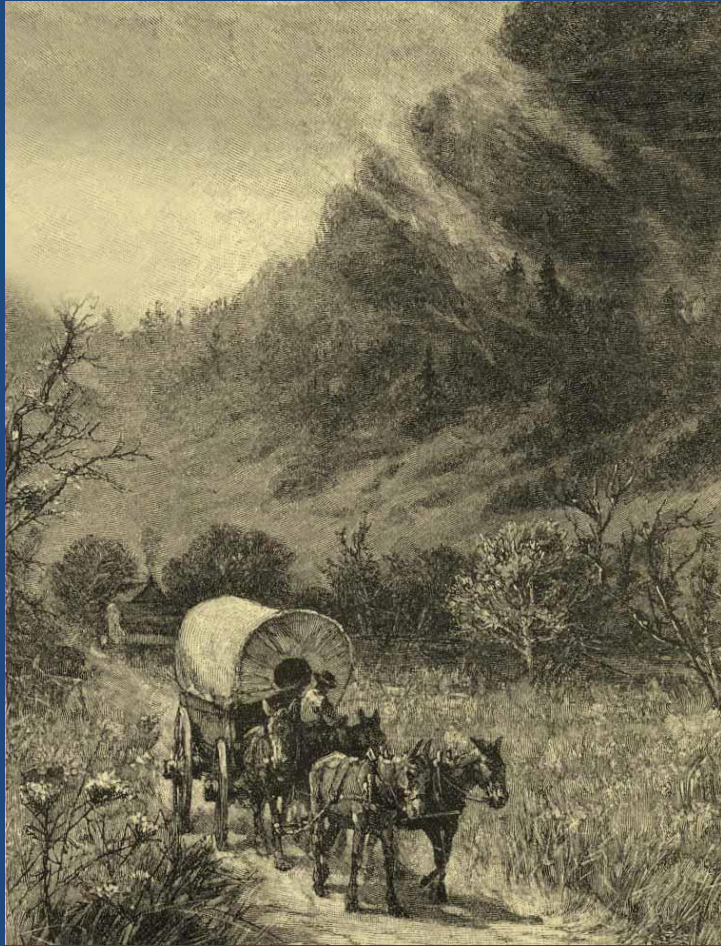
Source: [Elmer L. Foote Lantern Slide Collection, ca. 1900-1915](#)

Daniel Boone Escorting Settlers  
Through Cumberland Gap.  
Painting by George Caleb  
Bingham, 1851



- Daniel Boone built the first road in Kentucky in 1775 from the Cumberland Gap into central Kentucky. It followed a Native American trail.
- It was called the Wilderness Road because it went through the wilderness. It was rough, steep, and so narrow that people could only travel on foot or horseback.

Source: Library of  
Congress



- One of the first things that the new **Kentucky state government** did when Kentucky became a state in 1792 was to make the road wider so that wagons and carriages could travel on it.
- At that time the US government was not involved in building roads in Kentucky.



# Building Better Roads

- It was important to have wider roads so that settlers could bring all the things they needed to make a home in the wilderness – their tools and seeds to plant in their gardens as well as their clothes and food and their animals.
- In the early days of statehood, tolls were collected to pay for building and repairing roads.



Source: [UK Radio Photographic Collection](#)

# Beginning of state-federal road building cooperation

- In 1916 the U.S federal government passed the **Rural Post Roads Act**. In 1917 10 districts were established across the country, with each district given the responsibility for the construction of “rural Post Roads” in cooperation with the State highway departments.
- “Rural post roads” were any roads over which the US mail was transported.



- Source: Federal Highway Administration Photo Gallery

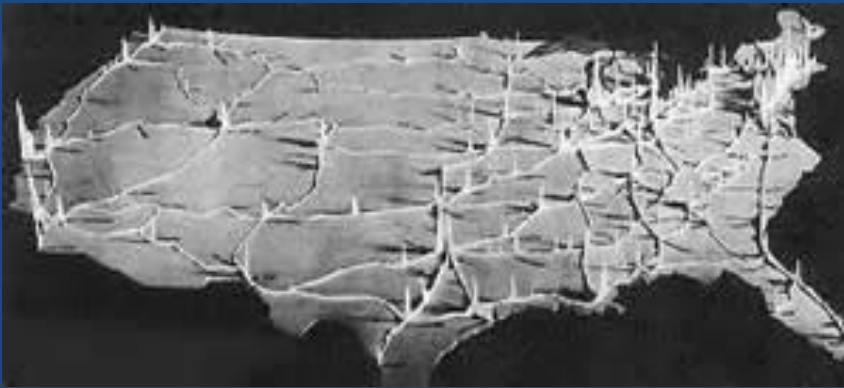
# Federal Highway Act of 1956

- In 1956 President Eisenhower signed the Federal Highway Act authorizing construction of a national interstate system.
- The federal government partnered with state highway departments.



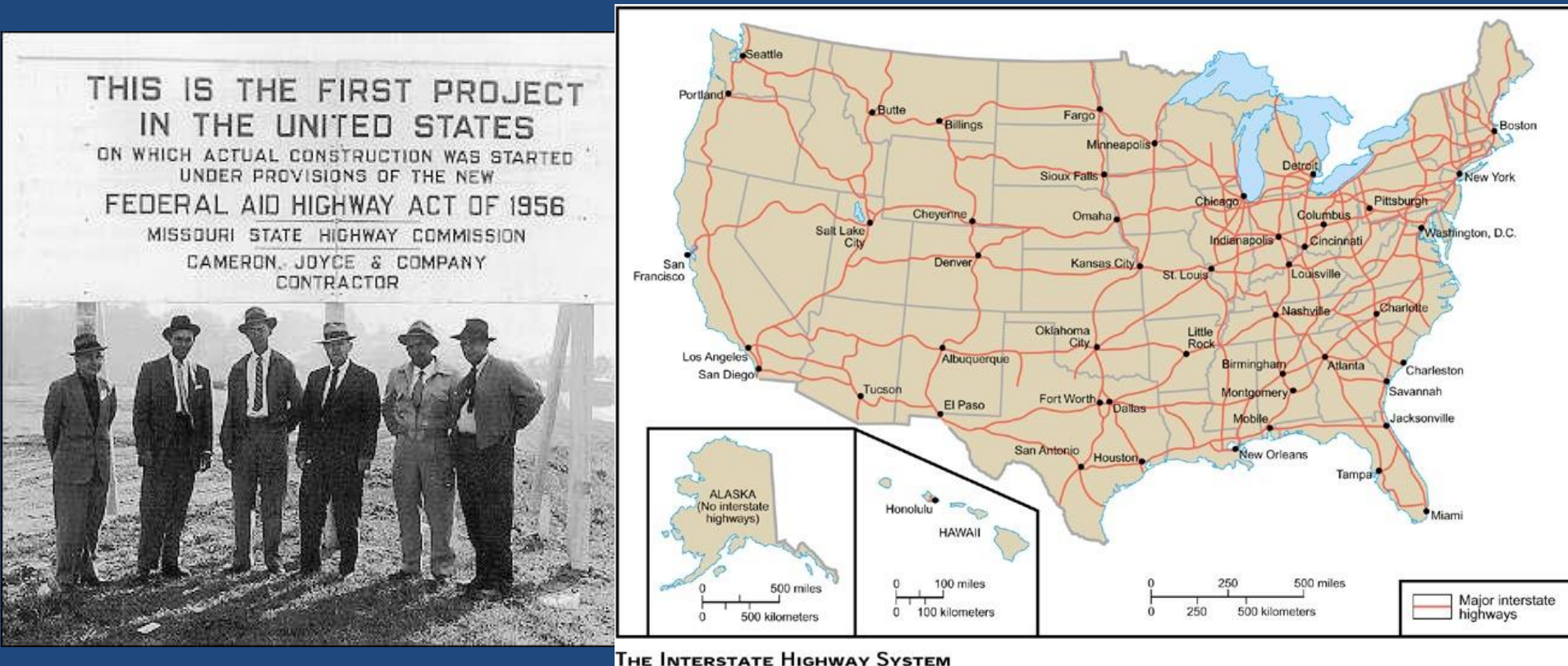
# The Interstate System

- The Interstate system connected cities all across the country.
- It also changed inner cities. People and goods could move faster than ever before.





# Let's examine the Interstate Highway system



THE INTERSTATE HIGHWAY SYSTEM

**Map, photo, data in Slides 9-12 from KAPA (Kentucky Chapter of American Planning Association) and AICP – (American Institute of Certified Planners) Training: Social Justice & Public Involvement - Karen Mohammadi, AICP, PE, PTOE; Neel-Schaffer; Jeff Moore, AICP, Kentucky Transportation Cabinet, District 3**

# Benefits of the Interstate system

- Responded to the needs for a defense highway system during the Cold War (a time when tensions between the US and the Soviet Union were so high that people feared there could be a war)
- Connected every major US city
- Created the safest roads in the nation
- Allowed economic growth
- Increased personal mobility for all citizens
- Improved overall quality of life by providing access to supplies and services like healthcare.

# Burdens of the Interstate system

- The homes of more than 2,000,000 people were purchased to make room for the Interstate. These people had to move.
- The vast majority of those relocated were either minority, low-income, or both
- There was limited assistance to help people find new homes and move until the Uniform Relocation and Assistance Act (1970)

# Who was relocated by urban renewal and the Interstate system?

- Between 1949 – 1963, 63 percent of those whose race was known were non-white
- 56 percent of nonwhites and 38 percent of whites had incomes low enough to qualify for public housing, which was seldom available
- Through 1967, urban renewal had displaced more than 400,000 families and federal aid urban highways had displaced some 330,000 families



# Time for a Change

In many instances, particularly in heavily populated areas, the burden of the Interstate Highway System affected mostly non-white minorities and low-income people of all races in urban areas.

This was not just. The Constitution was intended to “secure the blessings of liberty to ourselves and our posterity.” It was time for Congress to enact laws that would protect the rights and property of ALL citizens.

# The Civil Rights Act

- The Civil Rights Movement was underway, and people realized it was time for a change in everything from practices that kept minority populations from voting to the way that road building projects were planned and carried out. New laws were passed.
- The Civil Rights Act of 1964 outlawed major forms of discrimination on the basis of race, ethnicity, religion, or gender.

# The Civil Rights Act of 1964 and the Constitution

- Congress asserted its authority to legislate under several different parts of the United States Constitution, including its power to regulate interstate commerce under Article One (section 8), its duty to guarantee all citizens equal protection of the laws under the Fourteenth Amendment and its duty to protect voting rights under the Fifteenth Amendment. The Act was signed into law by President Lyndon B. Johnson

# Title VI of the Civil Rights Act of 1964

This title declares it to be the policy of the United States that **discrimination on the ground of race, color, or national origin** shall not occur in connection with programs and activities receiving Federal financial assistance and authorizes and directs the appropriate Federal departments and agencies to take action to carry out this policy.





# What is the Environmental Justice Executive Order?

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994) went a step further.

What is an executive order? Presidents issue **executive orders** to help officers and agencies of the Executive Branch manage the operations within the federal government itself. Executive orders have the full force of law when they take authority from a power granted directly to the Executive by the Constitution.

















# What does the Environmental Justice Executive Order say?

“Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, **disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations**”

# What Is Environmental Justice?

- The concept of environmental justice in transportation is that ALL people should have a voice in making decisions about where roads and bridges should be built.
- Because people in minority groups and people with low incomes have been treated so unfairly in the past, transportation planners today make special efforts to see that these populations are included in community planning.

# Who are Environmental Justice populations?

	Low-income	Middle-income	Upper-income
African American			
American Indian/ Alaskan Natives			
Asian American			
Native Hawaiians/Pacific Islanders			
Hispanics			
Whites			



# An Example

- Every day many people and goods cross the Ohio River between Indiana and Louisville. These people and goods travel for many different reasons.
- In 2012 the John F. Kennedy Memorial Bridge carried an average of 136,000 vehicles per day.

- <http://creativecommons.org/licenses/by/3.0/>



# Road Building in Kentucky

- To relieve this congestion, new bridges were needed.
- In Kentucky, the state agency that partners with the federal government on road building projects is the Kentucky Transportation Cabinet.

Source: Kentucky Public Transit Association



# How do they know where new roads are needed?

- They listen to the concerns of communities and the public.
- They study the flow of traffic and pay attention to any places where there are lots of traffic jams or accidents.

- Photo of the TRIMARC Operations Center from the Kentucky Transportation Cabinet website.



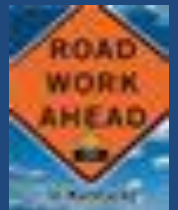
# Who Pays for New Roads?

- How does the government pay for the construction and maintenance of roads and bridges?
- “We all pay for roads and bridges,” explains Jeff Moore with the Kentucky Transportation Cabinet. “We pay for them with fuel taxes, vehicle taxes, and tolls. And therefore they belong to all of us.”



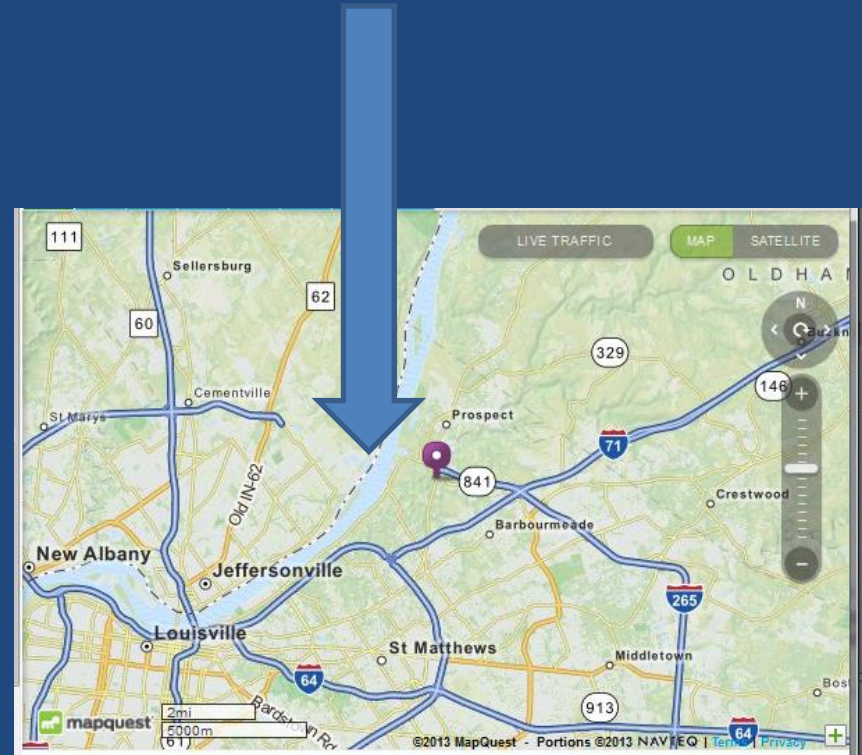
# New Roads, New Bridges

- In 1998 the Kentucky Transportation Cabinet and the Indiana Department of Transportation began working together to improve the situation. By 2003 they had decided to build two new bridges between Louisville and southern Indiana. The federal government provided about 80% of the funding needed for the project.



# Connecting Two Roads

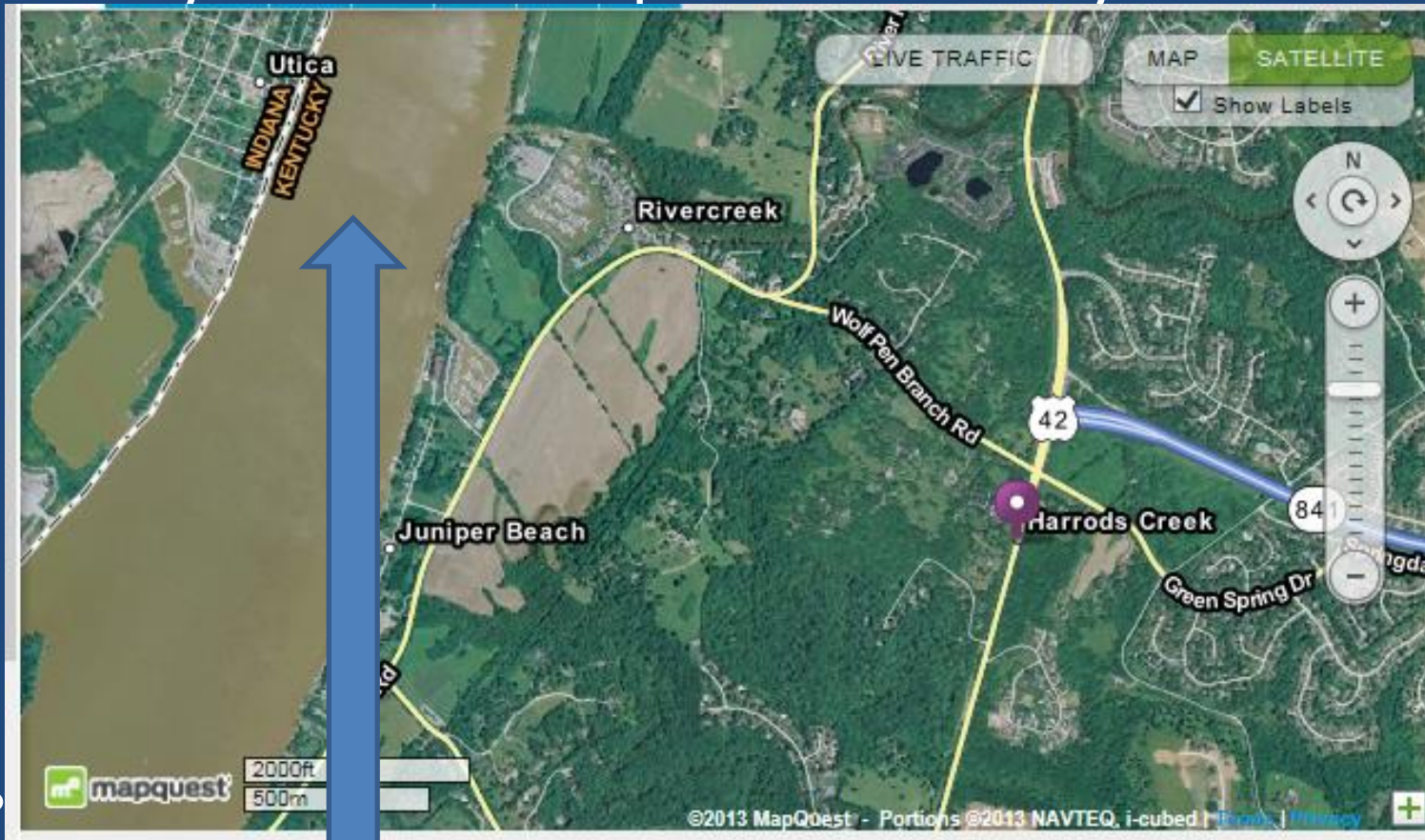
- The plan called for one of the bridges to be built northeast of Louisville.
- Look at the map. What makes this a good place for a bridge? Can you see that it would connect two roads?



# Many Changes!

- You can see why it made sense to build a bridge at this place, but it would mean many changes for the people who live there.
- Look at the aerial photographs in the next slides. What can you tell about the community of Harrods Creek?

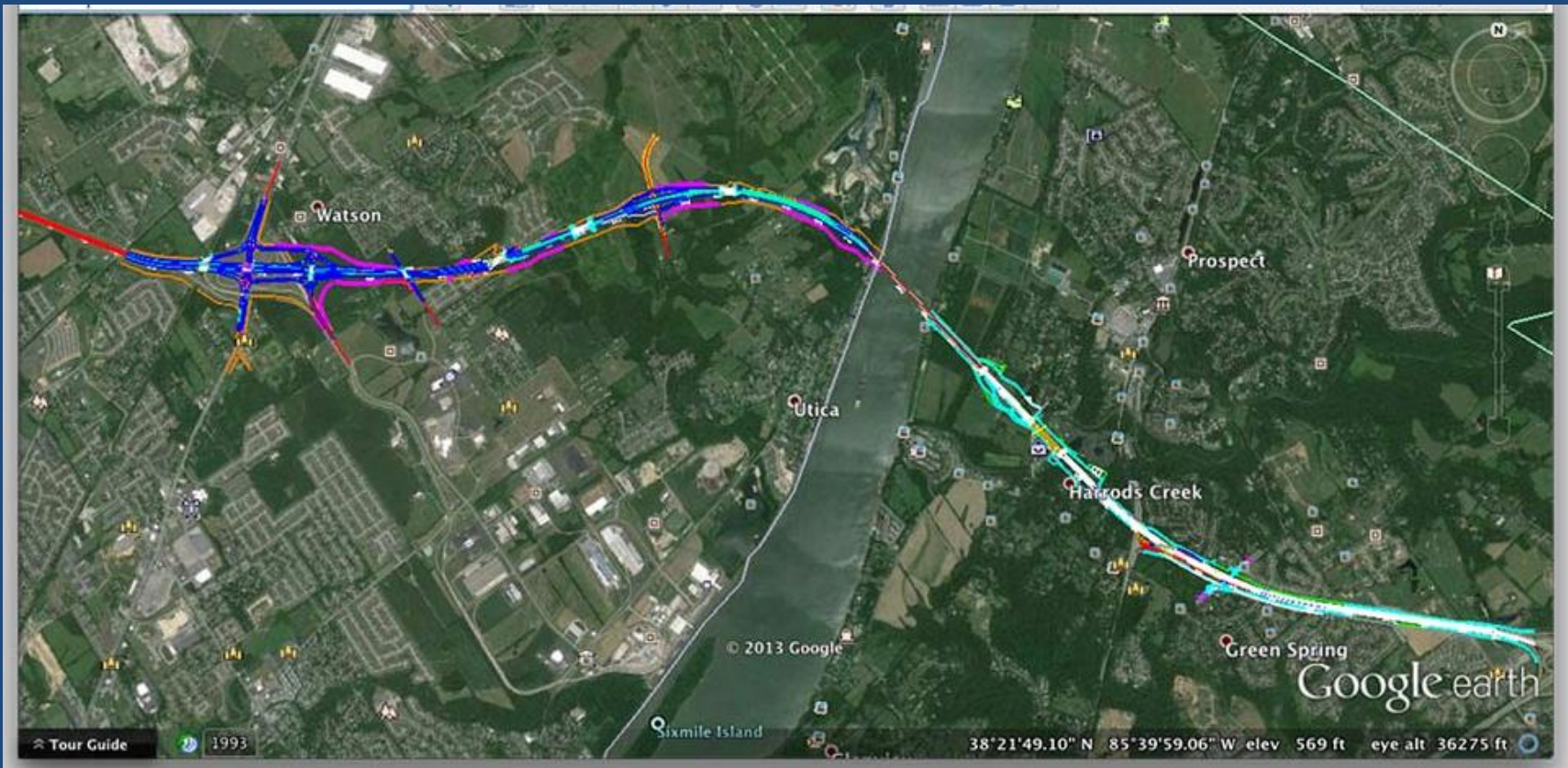
Can you find the river? It is brown. Can you see the green trees and fields? The roads in Harrod's Creek are very small. It is a quiet community.



- site for the new bridge



When the new bridge was built, there would be lots more traffic going through this area.



# An Historically African American Community

- The small community of Harrods Creek has a long history as an African American center. After the Civil War a number of free African Americans settled at “The Neck” of Harrods Creek and worked as farmers or as domestic help on surrounding estates.
- The 1879 atlas shows a one-room schoolhouse that would have educated local African American children.



# The James Taylor Subdivision

- In the 1920's most white people did not sell land to African Americans, but around 1920 a white farmer named A. E. Shirley sold his farm in Harrod's Creek to a young African American man named James Taylor. Taylor had grown up in Harrod's Creek. He was a farmer and construction worker and became one of the first African American real estate agents in Kentucky.

# James Taylor's Vision

- In 1922, he began to subdivide the land along Shirley and Duroc Avenues to create a community where African Americans could live, build homes, and raise gardens and livestock. They could also take a train into Louisville if they had jobs there.
- Store at River Road/Wolf Pen Branch Road, 1935
- *Source: U of L Photo Archives*



# A Good Place to Live

- This combination of home and land ownership in a safe community and access to downtown jobs was an unusual opportunity for African Americans at that time. Families were very committed to their community.

- Source: CULTURAL HISTORIC ASSESSMENT OF THE BASS-SHIRLEY SANITARY SEWER AND DRAINAGE IMPROVEMENT PROJECT, LOUISVILLE, JEFFERSON COUNTY, KENTUCKY



# Social Justice at Work

- As the lead agency for the project in Kentucky, the Kentucky Transportation Cabinet tries to avoid important resources like those in Harrod's Creek. Getting ideas from the public help them to identify places of importance so that they can be avoided. So, what steps do they take?

They develop websites, create surveys, hold meetings and invite the public to come talk about the project.



## **PUBLIC OPEN HOUSE**

### **Downtown Bridge - Section 2**

### **TONIGHT'S MEETING**

**4-8 p.m.**

#### **Self-Guided Tour of Exhibit Stations:**

- About the Project
- Team Information
- Bridge Type Selection Process
- Public Involvement
- Context Sensitive Design
- Project Parameters
- Bridge Types
- Environmental Issues
- DBE (Disadvantaged Business Enterprise) Involvement
- "View of the Bridge" Interactive Exhibit

**5:00 p.m.**

#### **Presentation & Discussion\***

**6:30 p.m.**

#### **Presentation & Discussion\***

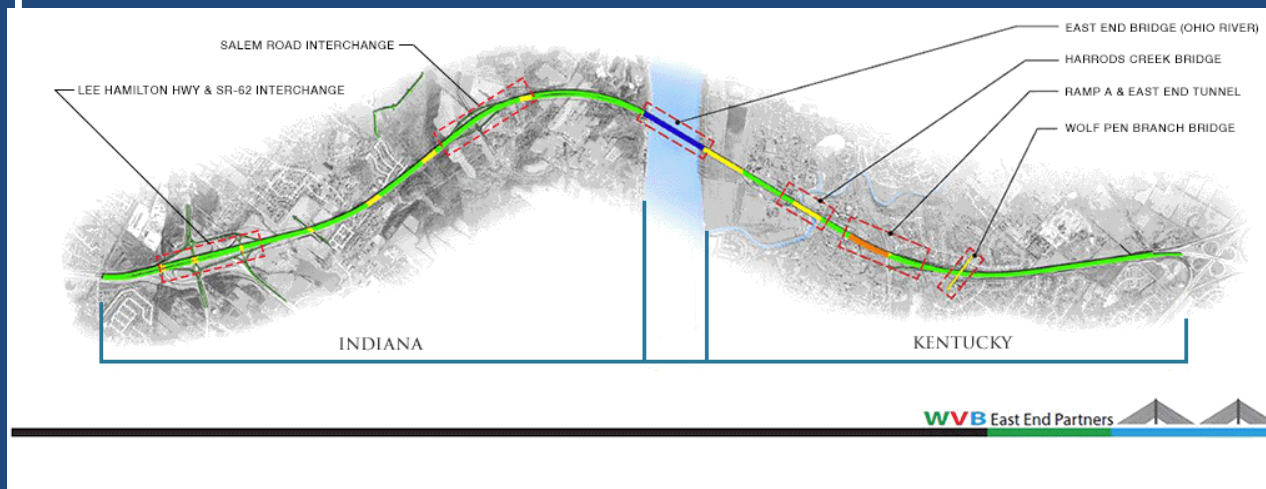
\* These presentations are the same.





# They consider different routes

- From the very beginning of the planning process, they consider where homes and places of special historical importance in the community are located. Whenever possible, they avoid purchasing homes or historic properties.



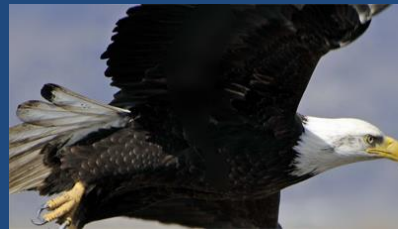


# Taking Care of People

- They consider every home and business that will be affected. Sometimes a house or a business is located where a new road has to be built. When that happens, the Kentucky Transportation Cabinet buys the house or business for a fair price and helps the people find a new place where they can live or run their business.

# Taking Care of the Environment

- They work with other agencies in the state and federal government. They work with the U.S. Fish and Wildlife Service to plan how to take care of the environment.



## Endangered Species Act 40th Anniversary

*Protecting Imperiled Animals  
and Plants Since 1973*

# Taking Care of Cultural Resources

- They work with the Kentucky Heritage Council to consider the cultural resources of the community.
- Cultural resources are the places, buildings, and stories that are important to a community's history.



# What Cultural Resources Are Important to the Community?

- The KYTC talks to the people who live in the community and find out what is most important to them about their community.
- They consider the buildings that are most important to the history of the community.
- When impacts to important resources are unavoidable, KYTC assures that the stories of these places are recorded for the future.
- In this way they preserve the community's cultural resources.

# An Historic African American School

- In the Harrod's Creek community, one place that is very important to the people is the Jefferson Jacob School. It was built around 1918 and was used as a school until 1957.



*Source: NRHP Nomination Form*

# An Important Story

- When making decisions about where the new road would be located, it was recognized that this was an important place. The new road avoids the property thus preserving it for the community.
- The people in Harrod's Creek wanted to be sure that the story of why the building is so important would not be forgotten.

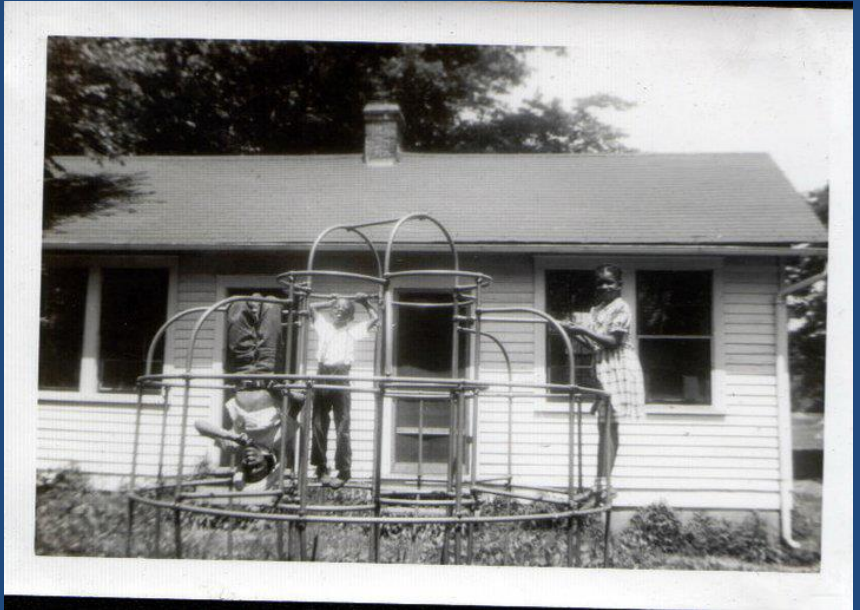
- **Students and Faculty at Jefferson Jacob School, 1927**
- Source: Ms. Lonzetta Howard





# Why Is It Important?

- Jefferson Jacob School was built during a time when African American children were not allowed to attend schools with white children. This was called segregation.



*Source: NRHP Nomination Form*

# More Than a School

- The people of the community helped to build the school. They were proud to have a good school for their children to attend.
- The building was also a place for community events.



*Source: NRHP Nomination Form*

# Preserving Memories

The memories of people who attended the school have been recorded. Even though the community may change, the memories and history of this important place have been preserved.



*Source: NRHP Nomination Form*

# Local Connection: Meeting Your Community's Transportation Needs

- What about your community? Are some of your bridges too small for today's needs? Are there roads where it is difficult to see ahead and many accidents occur? How will your community's transportation needs change in the future?

- Source: A Context For Common
- Historic Bridge Types
- NCHRP Project 25-25, Task 15



# Local Connection:

## Preserving Your Cultural Resources

- What if a new road were built in your community. Who should be involved in the planning?
- Why would a new road be built?
- Are there buildings that you think should be considered? Why are they important?
- What stories or memories should be recorded for the future?
- What are your community's cultural resources?